

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 19-00170-01-CR-W-GAF
)	
ROGGERS ONYANGO GUCHE,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On May 21, 2019, the Grand Jury returned a four-count Indictment charging Defendant Rogers Onyango Guche and two others¹ with various counts. Defendant Guche is charged with one count of conspiracy (Count One).

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Patrick D. Daly and Bradley Cooper
Case Agent: Special Agent James Taylor, Homeland Security
Defense: Gerald Gray, II and potentially Mathew Nixon (associate)
Law Clerk: Mrya Gray

OUTSTANDING MOTIONS:

12/17/2021	view83	MOTION in limine by USA as to Rogers Onyango Guche, Nellie Mbote. Suggestions in opposition/response due by 1/3/2022 unless otherwise directed by the court. (Daly, Patrick) (Entered: 12/17/2021)
04/07/2022	view89	MOTION in limine regarding Spousal Testimony by USA as to Rogers Onyango Guche. Suggestions in opposition/response due by 4/21/2022 unless otherwise directed by the court. (Daly, Patrick) (Entered: 04/07/2022)

¹ Co-Defendant Finelina Mutisya pled guilty on November 17, 2020, and is awaiting sentencing. Co-Defendant Nellie Mbote is schedule to change her plea on April 19, 2022.

04/11/2022	view90	MOTION in limine Relating to Defendant's Attempts at Jury Nullification by USA as to Rogers Onyango Guche. Suggestions in opposition/response due by 4/25/2022 unless otherwise directed by the court. (Daly, Patrick) (Entered: 04/11/2022)
04/11/2022	view91	MOTION in limine Regarding Character Evidence or Testimony by USA as to Rogers Onyango Guche. Suggestions in opposition/response due by 4/25/2022 unless otherwise directed by the court. (Daly, Patrick) (Entered: 04/11/2022)

TRIAL WITNESSES:

Government: 6-7 without stipulations
Defendants: 0 witnesses

TRIAL EXHIBITS:

Government: approximately 15 exhibits
Defendants: approximately 0 exhibits

DEFENSES: General denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 ½ to 3 days total

Government's case including jury selection: 2 ½ day(s)
Defendants: 0 day(s)

STIPULATIONS: No stipulations

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: Amended Witness and Exhibit lists filed April 12, 2022. **Updated list(s) due on or before April 19, 2022.**

Defendants: Proposed Witness and Exhibit lists filed April 12, 2022. **Updated list(s) due on or before April 19, 2022.**

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due on or before April 27, 2022.

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: See above for the Government's motions. **Any additional motions in limine are due on or before April 27, 2022.**

TRIAL SETTING: Criminal jury trial docket set for May 2, 2022.

Please note: The Government requests the first week of the docket due to the number of out-of-town witnesses.

IT IS SO ORDERED

/s/ Lajuana M. Counts

LAJUANA M. COUNTS
UNITED STATES MAGISTRATE JUDGE